

Montague Conservation Commission

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MEETING MINUTES

Thursday December 13, 2018 6:30 PM

Upstairs Meeting Room, Town Hall, One Avenue A, Turners Falls, MA 01376

Commissioners Present: Mark Fairbrother - Chair, Alex Peterkin, Addie Rose Holland, Donna Francis, Justin Fermann and Sean Werle

Commissioners Absent: Deb Henson, Laurie Reid – Associate Member

Staff: Walter Ramsey – Agent

Mark Fairbrother called the meeting to order at 6:30 PM.

Approval of Minutes:

11/8/18 minutes were not ready for approval.

Motion made by Addie Rose Holland to accept the minutes from October 11, 2018. **Seconded** Donna Francis. **Motion passed.**

PUBLIC MEETING: RDA #2018-04 Eversource Line 354 Structure Replacement Request for Determination of Applicability: filed by Eversource Energy to determine if proposed work within the 100 foot buffer zone of bordering vegetated wetland and inland Bank of intermittent streams is subject to the Wetlands Protection Act. Applicant is proposing to replace one electrical transmission structure along the Eversource Line 354 right-of-way north of Wendell Road in Montague.

Guest: Devleena Ghosh-Brower – Eversource Energy

Devleena briefed the commissioners on the project: This work is required in order for Eversource to provide continuous reliable electrical service to the communities served by this transmission line. There is a federal mandate to replace all wooden transmission structures. Work is planned to be done between January 15, 2019 and September 30, 2019. 14 Wooden H-frame structures will be replaced along Line 354. The Subset of work that is subject to review under the WPA:

- Improvement of work pad associated with structures #34028 and 34034 (Buffer Zone)
- Improvement of access road associated with # 34027 (Buffer Zone)

The improvement of access roads and work pads is necessary to provide safe and stable work surfaces to facilitate maintenance of the existing electrical transmission infrastructure. The work pads and access roads are the only thing that is jurisdictional the structures themselves are exempt. Erosion and sedimentation control will be installed in accordance with Eversource's standard BMPs.

Agent reported on 11/6/19 site visit with Develeena. Some discussion ensued about future permitting and mitigation. No special conditions were considered.

Motion made by Addie Rose Holland to issue a Negative Determination Box 3 (Work described is in the buffer zone, but will not alter an Area subject to protection under the Act). **Seconded** by Sean Werle. **Motion passed.**

Request for Certificate of Compliance- NOI #2018-04 First Light Power Resources filed by First Light Power Resources regarding a fish passage study conducted at 15 Cabot Street Turners Falls MA. Identified as Assessors Map 8 Lot 08-1 and DEP file number 229-0248.

Walter shared submitted project photographs from the shad fish passage study project. The project was completed successfully according to submittal the project manager. No permanent resource area alterations were associated with the project. Agent reported that they followed the special conditions set out by the Conservation Commission and is now requesting a certificate of compliance to close out the Order of Conditions.

Motion made by Addie Rose Holland to issue a certificate of compliance based on the photos and the report submitted by FirstLight. . **Seconded** by Justin Fermann. **Motion passed.**

Agent updates:

- **Enter Memorandum of Understanding (MOU) with Franklin Land Trust for monitoring of Kachavos Conservation Restriction (CR).**

The MOU gives The Franklin Land Trust the authority to conduct monitoring procedures to make sure the landowner is in compliance with the CR. It releases the Town of Montague/Conservation Commission from the burden of monitoring. If there is any enforcement action needed in the future, the Franklin Land Trust prepares all the documents for the Town. This MOU needs to be signed by the Chairman and will need to be notarized.

Motion made by Addie Rose Holland to authorize the Chairman, Mark Fairbrother to execute the memorandum of understanding with Franklin Land Trust (for the Kachavos CR). **Seconded** by Donna Francis. **Motion passed.**

- **Correspondence with MDAR regarding Garbiel APR – 41 Meadow Road:**
The state Department of Agriculture informed the Conservation Commission that the APR has been approved for funding. More details will follow. Agent reminded Commission that the local match is already accounted for.
- **Millers Falls Paddlers Access and Accessible Trail updates:**
The grant application has been awarded by Department of Conservation and Recreation. It is located where East Main Street meets Newton Street. The grant agreement is pending due to the fact that the state wants to support a handicap accessible trail but will not allow any digging underground with an areological assessment. They have advised to look into alternatives to digging. In the future, this project will come in front of the Commission for the permitting which is expected to happen over the next two years.
- **Eversource request for list of potential mitigation projects:**
Eversource is compiling a list of future mitigation projects. Walter asked Commissioners to think of any undersized culverts or other areas that Commissioners have noticed. Commissioners will report directly to Agent who will compile a list for Eversource.
- **2019 Meeting Dates:**
Commissioners agreed to the 2019 meeting schedule (Generally second Thursdays at 6:30 PM).
- **Topics Not Anticipated:**
Brian Harrington from DEP informed Walter that the Smith Enforcement Order (420 Turners Falls Road) has been assigned to a lawyer specializing in collections. No action is needed from the Commission at this time.

Motion made by Deb Henson to adjourn at 7:33 PM. **Seconded** Donna Francis. **Motion passed.**

Approved by: _____ Date: _____